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February 1, 2006

Honorable Michael A. Telesca  
United States District Judge  
U.S. Courthouse  
100 State Street  
Rochester, New York 14614

Re: United States v. Mohamed Subeh  
04-CR-6077

Dear Judge Telesca:

I received a copy of a letter from John Parrinello, Esq., counsel for the defendant in the above-captioned case, requesting additional time in which to file objections to a Decision and Order (and Report and Recommendation) of Magistrate Judge Payson. In Mr. Parrinello's letter, counsel requests that he have until the end of March, 2006, in which to file any objections to the Magistrate Judge's Order. (It is noted that while Mr. Parrinello inadvertently addressed his letter request, attached hereto, to Judge Larimer, this Court is assigned to the instant case.)


On behalf of the Government, I have no objection to Mr. Parrinello's request for additional time in which to file his objections. At the present time, I also plan to file objections to and appeal from aspects of the Court's Decision and Order, and Report and Recommendation, both of which are dated January 24, 2006. I accordingly also ask for the same time as is given to Mr. Parrinello to be established for the Government in which to file the Government's objections to (and appeal from) the Magistrate Judge's January 24, 2006 Order. For reasons supporting this request, the Government states that the parties should remain on the same schedule for the filing of their papers, and the undersigned will be out of the country for a portion of February on official Government business, out of the District for portions of February and March on official Government business, and is also currently scheduled to serve as co-counsel in a trial before Judge Skretny commencing in March.

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I further request that any additional time the Court provides to the Government and defense for the filing of objections be excluded from computation under the Speedy Trial Act clock, 18 U.S.C. 3161(h)(8)(A), in that the ends of justice served by such action outweighs the best interest of the public and the defendant in a speedy trial. For the Court's benefit, as of the date set by the Court for the filing of objections and/or appeal, seventy days will remain on the Speedy Trial clock in which to try the case.

Respectfully yours,

KATHLEEN M. MEHLTRETTER  
Acting United States Attorney

  
BY: WILLIAM J. HOCHUL, JR.  
Assistant U.S. Attorney

WJH/kab

cc: Honorable David G. Larimer  
United States District Judge

John R. Parrinello, Esq.

Government shall file objections  
no later than March 31, 2006.

SO ORDERED.

S/MICHAEL A. TELESKA  
HON. MICHAEL A. TELESKA, USDJ

DATED: 2/1/2006